REMARKS

The Applicants appreciate the thorough examination of the present application that is reflected in the Official Action of September 8, 2004. In response, the Applicant has canceled Claims 1-24 and added new Claims 25-26, 28-48, and 50 corresponding thereto. Moreover, new Claims 27, 49, and 51 have been added including the recitations that "web services" are dynamically undeployed "in a computing network." The Applicants have also amended the specification to update the Related Inventions section on page 1 thereof. Reasons for patentability are described in greater detail below.

All Claim Objections Have Been Addressed

The Office Action objects to Claims 13, 14, 18, and 22 because these claims depend from Claims 3, 6, 1, and 5 respectively. More particularly, the Office Action states that:

> A claim that depends from a dependent claim should not be separated by any claim that does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim.

In response, the Applicant has canceled Claims 1-24, and rewritten these claims as new Claims 25-26, 28-48, and 50 which have been ordered to address the objections set forth in the Office Action. The correspondence of claims is set forth at follows: new Claims 25-26 correspond to original claims 1-2; new Claims 28-29 correspond to original Claims 4-5; new Claim 30 corresponds to original Claim 22; new Claim 31 corresponds to original Claim 3; new Claim 32 corresponds to original Claim 13; new Claims 33-39 corresponds to original Claims 6-12; new Claims 40-47 correspond to original Claims 14-21; new Claim 48 corresponds to original Claim 23; and new Claim 50 corresponds to original Claim 24. Accordingly, all objections to the claims have been overcome.

New Claim 25 Is Patentable Over Khello and Reifer

New Claim 25 corresponds to original Claim 1, and original Claim 1 was rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over U.S. Patent No. 5,657,451 to Khello ("Khello")

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in view of U.S. Patent No. 6,421,727 to Reifer *et al.* ("Reifer"). In response, the Applicant will show that new Claim 25 is patentable over the cited art.

In particular, Claim 25 recites a method of dynamically undeploying services in a computing network, the method including:

> receiving an undeployment trigger for a selected service;
> determining one or more network locations where the selected service is deployed; and
> effecting a dynamic undeployment by programmatically removing the selected service from one or more selected ones of the network locations.

The Office Action concedes that "Khello does not explicitly teach determination of network locations." To provide the missing teaching, the Office Action states that:

> Reifer teaches a gateway that receives and evaluate [sic] the location of a "service gateway" in order to determine whether it is possible for a service request to proceed. (See col. 4, lines 24-29.)

In particular, Reifer states that:

> The Home Gateway is responsible for granting system access. Whenever a subscriber places or receives a call, the network 100 will determine the subscriber's location with accuracy sufficient for call control. The Home Gateway will receive and evaluate this location information to determine whether it is permissible for the call to proceed.

Reifer, col. 4, lines 24-29. (Underline added.) Accordingly, Reifer determines a subscriber's location for use in call control as opposed to a network location where a service is deployed. Reifer thus fails to teach or suggest determining one or more locations where a service is deployed.

As set forth in Section 2143 of the Manual Of Patent Examining Procedure (MPEP), three basic criteria must be met to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

As discussed above, each of the Khello and Reifer patents when taken alone or when combined fails to teach or suggest determining one or more locations where a service is deployed. Accordingly, the cited patents fail to teach or suggest all the claim limitations as required by Section 2143 of the MPEP.

For the reasons discussed above, the Applicant respectfully submits that Claim 25 is patentable over the cited art. In addition, Claims 48 and 50 are patentable for reasons similar to those discussed above with respect to Claim 25. The Applicants further submit that Dependent Claims 26-47, 49, and 51 are patentable at least as per the patentability of Claims 25, 48, and 50 from which they depend.

Dependent Claim 27 Is Independently Patentable Over Khello And Reifer

As discussed above, Dependent Claim 27 are patentable at least as per the patentablity of Independent Claim 25 from which it depends. Dependent Claim 27 is also independently patentable. Dependent Claim 27 depends from Claim 25 and thus includes all recitations of Claim 25 as discussed above. In addition, Claim 27 recites the method according to Claim 25:

> wherein services comprise web services;
> wherein receiving an undeployment trigger comprises receiving an undeployment trigger for a selected web service in the computing network;
> wherein determining one or more network locations comprises determining one or more network locations where the selected web service is deployed in the computing network; and
> wherein effecting a dynamic undeployment comprises effecting a dynamic undeployment by programmatically removing the selected web service from one or more selected ones of the network locations in the computing network.

In particular, Claim 27 recites effecting dynamic undeployment by programmatically removing a selected web service from one or more selected ones of network locations in a computing network. In contrast, Khello discusses a generic service coordination mechanism that solves feasible service interaction problems within telecommunications networks. (See, for example, Khello Abstract.) Similarly, Reifer discusses providing service activation capability from Service Providers to end-customers in a global Iridium type telecommunications system.

(*See*, for example, Reifer, Abstract.) Accordingly, neither the Khello or Reifer patents teaches or suggests programmatically removing a selected web service from one or more selected ones of network locations in a computing network or other recitations of Claim 27.

As set forth in Section 2143 of the Manual Of Patent Examining Procedure (MPEP), three basic criteria must be met to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

As discussed above, each of the Khello and Reifer patents when taken alone or when combined fails to teach or suggest: (1) programmatically removing a selected web service; and/or (2) programmatically removing a service in a computing network. The combination of Khello and Reifer also fails to teach or suggest determining one or more locations where a web service is deployed in a computing network. Accordingly, the cited patents fail to teach or suggest all the claim limitations as required by Section 2143 of the MPEP.

The Applicants thus submit that dependent Claim 27 is independently patentable over the Khello and Reifer patents. The Applicants further submit that dependent Claims 49 and 51 are independently patentable for reasons similar to those discussed above with respect to Claim 25.

Consideration Of References From IDS Of October 17, 2002 Is Requested

The Applicants respectfully note that the Examiner signed and dated the Form PTO-1449 submitted by the Applicants and received by the U.S. Patent Office on January 29, 2002. The Applicants note, however, that none of the reference citations on the Form PTO-1449 were individually initialed, and instead, all of the reference citations were crossed through. (A copy of the Form PTO-1449 returned with the Office Action with the reference citations crossed through is attached hereto.) Moreover, nothing in the Office Action gives a reason for non-consideration of any of the references. Accordingly, the Applicants believe that the reference citations were

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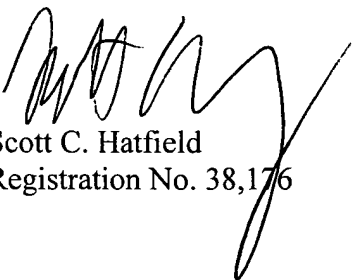App.Ser.No. 09/864,607
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crossed through in error and that the references cited in the Form PTO-1449 have been considered.

To insure that the references cited on the Form PTO-1449 are clearly indicated as having been considered and appear on the coversheet of any patent(s) issuing from this application, the Applicants respectfully request that the Examiner indicate consideration of these references on the new Form PTO-1449 submitted with the Information Disclosure Statement concurrently with this paper. The Applicants note that additional references are also cited in the new Form PTO-1449. Accordingly, please initial each reference citation in the new Form PTO-1449 and return a copy of the initialed Form PTO-1449 for the Applicants' records.

CONCLUSION

Accordingly, the Applicant submits that all pending claims in the present application are in condition for allowance, and allowance of all claims is respectfully requested in due course.

Respectfully submitted,

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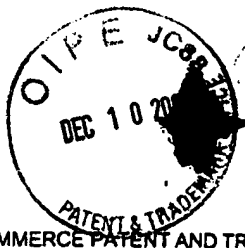
Form PTO-1449		ATTORNEY DOCKET NO. RSW920010106US1		SERIAL NO. 09/864,607	
LIST OF PRIOR ART CITED BY APPLICANT *(Use several sheets if necessary)*				RECEIVED	
		APPLICANT P.J. Brittenham, et al			
		FILING DATE 5-23-2001		GROUP ART UNIT 2176	FEB 0 1 2002 Technology Center 2100
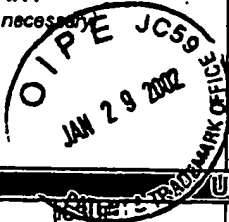
U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO	DATE	INVENTOR NAME	CLASS/ SUBCLASS	FILING DATE
	A	6,173,322	1/9/2001	Wei-Ming Hu	G06F 13/14	6/5/1997
	B	6,256,673	7/3/2001	Michael Rabinovich	G06F 15/173	5/6/1998
	C	6,081,840	6/27/2000	Yan Zhao	G06F 15/163	10/14/1997
	D	6,233,607	5/15/2001	Clement G. Taylor, et al	G06F 15/16	4/1/1999
	E	6,094,680	7/25/2000	Tukker E. Hokanson	H04L 12/00	7/25/2000
	F	5,951,694	9/14/1999	Philippe Choquier, et al	G06F 11/00	2/3/1997

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO

OTHER PRIOR ART *(including author, title, date, pertinent page, etc.)*

DATE CONSIDERED 9/1/54	EXAMINER

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.